

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
) CASE NO. CR21-170 JCC
Plaintiff,)
)
v.)
) DETENTION ORDER
JERRY WAYNE KOHL,)
)
Defendant.)
_____)

Offenses charged:

1. Conspiracy to Distribute Controlled Substances

Date of Detention Hearing: November 5, 2021.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. §3142(f) and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with a drug offense, the maximum penalty of which

01 is in excess of ten years. There is therefore a rebuttable presumption against defendant as to
02 both dangerousness and flight risk, under 18 U.S.C. § 3142(e). Defendant has a lengthy
03 criminal record including multiple convictions for possession of a controlled substance, attempt
04 to elude and assault.

05 2. Defendant is a danger to the community because of his lengthy criminal history,
06 and his failure to comply with the terms of supervision. Of particular note are his violations
07 of supervision following his 2015 conviction for possession of methamphetamine, where he
08 tested positive for methamphetamine four times and failed to participate in treatment.
09 Defendant has a long-term addiction to methamphetamine, which he appears to have
10 underreported to Pre-trial services. The proposed release address is not suitable as it is the
11 same address as the location of the alleged drug trafficking and the person who also lives at that
12 address has a criminal history involving a federal conviction for conspiracy to deliver cocaine.

13 3. There does not appear to be any condition or combination of conditions that will
14 reasonably assure the defendant's appearance at future Court hearings while addressing the
15 danger to other persons or the community.

16 It is therefore ORDERED:

17 1. Defendant shall be detained pending trial, and committed to the custody of the Attorney
18 General for confinement in a correction facility separate, to the extent practicable, from
19 persons awaiting or serving sentences or being held in custody pending appeal;

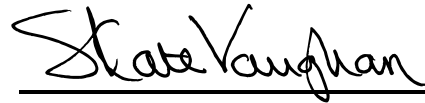
20 2. Defendant shall be afforded reasonable opportunity for private consultation with
21 counsel;

22 3. On order of the United States or on request of an attorney for the Government, the person

01 in charge of the corrections facility in which defendant is confined shall deliver the
02 defendant to a United States Marshal for the purpose of an appearance in connection
03 with a court proceeding; and

- 04 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
05 for the defendant, to the United States Marshal, and to the United State Probation
06 Services Officer.

07 DATED this 5th day of November, 2021.

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10 S. KATE VAUGHAN
11 United States Magistrate Judge
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